

III. REMARKS

Claims 1-20 are pending in this application. By this Amendment, claims 1, 8, 15 and 18 have been amended. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant gratefully appreciates this indication.

In the Office Action, claims 1-4 and 6-20 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Cranford Jr. et al. (U.S. 6,298,458), hereinafter "Cranford"; and claims 1-4 and 6-20 are also rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Cranford, in view of Drost et al. (U.S. 6,076,175), hereinafter "Drost." Applicant respectfully submits that the claimed subject matter is allowable for the reasons stated below.

With respect to independent claims 1, 8, 15 and 18, Applicant submits that Cranford does not disclose, *inter alia*, "a built-in-self-test (BIST) device ... for providing a reference clock signal with a varied offset for jitter testing the transceiver[.]" (Claim 1, similarly claimed in claims 8, 15 and 18). In Cranford, the clock source having high jitter is added in a transmit driver to the output waveform (*see* col. 8, lines 16-19; *see also* FIG. 7) as a jitter, but is not a reference clock (*see* FIG. 5; the reference clock 210 does not have a varied offset.) In view of the foregoing, Cranford does not disclose a reference clock signal with a varied offset, as in the claimed invention.

In addition, with respect to claims 8, 15 and 18, Cranford also does not disclose, *inter alia*, “a reference clock signal embedded within the network data signal[.]” (Claim 8, similarly claimed in claims 15 and 18). As discussed above, in Cranford, the clock source is added to the output waveform as a high jitter. As such, the clock source is not embedded within a network data signal. In view of the foregoing, Cranford does not disclose all the limitations of the claimed invention. Accordingly, Applicant respectfully requests withdrawal of the rejection.

Regarding the 35 U.S.C. 103(a) rejection, Applicant submits that, in the Office Action, the asserted disclosure of Drost does not overcome the admitted deficiency of Cranford. First, the Office admits that Cranford “does not expressly teach: a built-in-self-test (BIST) device for providing a clock signal with a varied offset for jitter testing the transceiver” (Office Action at page 8), which is inconsistent to the assertion of the Office in the U.S.C. 102(c) rejection (*see* Office Action at page 3). In addition, the Office asserts that Drost discloses “a transmitter receiving a control signal for impairing characteristics of the network data signal and for continuously generating an output signal corresponding to the data signal and the control signal during a predetermined time window.” (Office Action at page 8, inner citation omitted). However, the Office does not explain how the above asserted disclosure of Drost is used to overcome the admitted deficiency of Cranford. Applicant therefore submits that the asserted disclosure of Drost does not cure the admitted deficiency of Cranford. For example, the asserted disclosure of Drost still lacks a clock signal with a varied offset. In view of the foregoing, the Office does not establish a *prima facie* case of obviousness, and Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. 103(a).

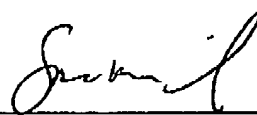
The dependent claims are believed allowable for the same reasons stated above, as well as for their own additional features

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

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Respectfully submitted,



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